

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SOUTH BUFFALO DEVELOPMENT, LLC,

Plaintiff,

Case No.: 1:21-CV-01184

-vs-

PVS CHEMICAL SOLUTIONS, INC., and
NORFOLK SOUTHERN RAILROAD COMPANY,

Defendants.

IT HEREBY IS STIPULATED AND AGREED, by and between counsel for all parties to this action, that Patrick H. NeMoyer, Esq. has been selected, contacted and has agreed to serve as Mediator for this action.

IT IS FURTHER STIPULATED AND AGREED, in consultation with the Mediator, that the initial mediation session will be held on October 17, 2023 at 10:00 am.

IT IS FURTHER STIPULATED AND AGREED that counsel will participate in the mediation session in good faith and confer with the Mediator regarding the scheduling of additional conference(s), bearing in mind the deadline for the completion of ADR set forth in the Court's Scheduling Order.

DATED: August ___, 2023

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& GRESENS LLP**

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